

PAYSON CITY
PLANNING COMMISSION MEETING
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, August 23, 2017 7:00 p.m.

CONDUCTING John Cowan, Chair

COMMISSIONERS Kirk Beecher, Adam Billings (7:04 p.m.), Ryan Frisby, Taresa Hiatt, Harold Nichols (7:11 p.m.), Blair Warner

STAFF Jill Spencer, City Planner
Kim Holindrake, Deputy Recorder

CITY COUNCIL Linda Carter

OTHERS

1. Call to Order

This meeting of the Planning Commission of Payson City, Utah, having been properly noticed, was called to order at 7:00 p.m.

2. Roll Call

Five commissioners present.

3. Invocation/Inspirational Thought

Invocation given by Commissioner Frisby.

4. Consent Agenda

4.1 Approval of minutes for the regular meeting of August 9, 2017

MOTION: Commissioner Hiatt – To accept the minutes from August 9, 2017. Motion seconded by Commissioner Frisby. Those voting yes - Kirk Beecher, Ryan Frisby, Taresa Hiatt, Blair Warner. The motion carried.

5. Public Forum

No public comments.

6. Review Items

6.1 Review and recommendation of the Final Plat of Plat D of the Springside Meadows Development (7:03 p.m.)

Staff Presentation:

Jill Spencer reported this project is a portion of the Springside Meadows Development located by the Spring Lake Elementary at approximately 360 West and 1800 South. There has been a variety of

redesigns over the past 10 years. The original approval included 413 units back in 2006. Recent approvals included modifications to the specific plan and annexation agreement to see the development move forward. The preliminary plan redesign has been approved by the city council. The overall project layout and design includes 85 townhome units, 167 single family, and 5.77 acres of public use. This current application is plat D with 31 lots and is immediately east of the Spring Lake Elementary. The original plan included a pocket park that has been relocated by SR-198. This change was approved as part of the amendments to the specific plan and approval of a new preliminary plan on May 17, 2017. The commission will review each of the final plats because of a few items that were not finalized with the preliminary plan. The applicant's timeline is to have approval of plat D this summer, install improvements in the fall of 2017, and begin construction the fall/winter of 2017. Neighborhood details include consistent housing products with plats A, B, and C; exterior materials of stucco, brick, and stone; fencing along Main Street; and consistent project drawings consistent with the land use ordinances and specifications. The applicant is requesting to use an engineered wood siding (LP product) as an accent, a waiver of the RV storage requirement, and is proposing to install a six-foot tan vinyl along Main Street. Any development along a collector or arterial status street is required to install a six-foot, decorative masonry wall per the city ordinance unless otherwise approved by the city council. The specific plan requires a decorative vinyl fence with masonry columns. The city's experience over the last 15 years with fencing along Main Street is a lot of damage because of weather, snow removal, etc. There are three homes with vinyl fencing installed along Main Street and one lot with a decorative masonry wall. The applicant's proposal is to continue the tan vinyl fence with pillars and address a different fence with the other phases. The RV storage requirement has been waived for phases A, B, and C with homes being shifted to allow onsite RV parking. The lots in this phase are smaller, but the overall development includes some larger lots east of Main Street. The overall plan creates neighborhoods for a variety of lifestyles. The lots facing Main Street will have a private drive to access the homes. Main Street and 1800 South will not be completely finished with this phase.

Commission Discussion:

Commissioner Hiatt stated she would like to see some larger lots because people are looking for larger lots. She has some concerns about the LP siding product.

Commissioner Beecher questioned the note on the final plat stating, *Side setbacks to be 8' minimum. Homeowner to maximize garage side yard as needed.* The way it's worded using "as needed" is not providing the space needed for an RV pad. He suggested using the term "shall be required." The applicant is proposing another temporary retention basin. A permanent retention basin needs to be addressed; a temporary basin is not a solution. The proposed LP siding is a good product as an accent but not for the entire home.

Commissioner Warner stated he drove through the area. Looking up 1770 South all the houses are the same with the garages being the main feature. It looks like a street of garages. At a previous meeting, the commission received information on requiring home designs with the garages recessed. He would like to ask the applicant to rework the floor plans to avoid this look. He has concerns with not having an RV storage, but the homeowner will decide if they want an RV pad.

Commissioner Cowan stated he would like to get rid of the vinyl fencing because they deteriorate from the weather and fall apart. He understands other types of fencing are more expensive.

Commissioner Frisby stated he would like to see the fence pillars continued with the vinyl fencing to give stability.

Jill Spencer stated staff will forward these suggestions to the applicant. She knows the applicant has reworked some of their elevations and exteriors in other projects. The applicant understands they have to provide different neighborhoods. Staff has discussed the need for a permanent retention basin. The applicant is looking at their next phasing to the southwest in order to accommodate the permanent basin. The home will be shifted to the non-garage side to allow space for an RV pad.

MOTION: Commissioner Beecher – To recommend approval of the preliminary plan to the city council with staff recommendations and suggestions, that the housing product remain consistent with phases A, B, and C, that the exterior materials be a mix of hard-type materials including the engineered wood siding but only as an accent and not as the entire product for the building, that the homes be placed on the lot so that recreational vehicle parking be available on the garage side on all lots, that fencing along Main Street be consistent with the specific plan with the six-foot vinyl fence and decorative pillars, and all that staff has recommended. Motion seconded by Commissioner Nichols. Those voting yes - Kirk Beecher, Adam Billings, Ryan Frisby, Taresa Hiatt, Harold Nichols, Blair Warner. The motion carried.

6.2 Review of Planning Commission Bylaws and Rules of Procedure for consideration of amendment and training (7:42 p.m.)

Jill Spencer reviewed the proposed amendments to the bylaws and rules of procedures. Many of the changes address organization and state code.

- Any duplicate text regarding organization of the commission, notice of meetings, and public hearings, etc. has been removed from the bylaws because it is addressed in the city code.
- General Provisions – Amendments include applicable state and local ordinances and rules and basic principles for members, discussion, motion, meeting, etc. The bylaws are available as a public record and identifies the location of the office of the commission.
- Members – The appointment of members and the filling of vacancies are addressed in the municipal code. Reasonable notice is required when a member resigns and is given to the mayor, city council, planning commission and staff. Cause for removal includes malfeasance, misfeasance, nonfeasance, or failure to disclose a conflict of interest.
- Officers, Staff, Duties – The succession of the vice chair to chair has been added. Additional duties of the chair include interfacing with the mayor, managing the affairs of the commission, delegating duties to the vice chair in the absence of the chair, and designating members to make personal inspections when necessary.
- Rights and Duties of Members – A member cannot be a representative of an applicant or petitioner. There are changes to the conflict of interest section. A member is not to express bias, prejudice or individual opinion on a land use application prior to a meeting, or make a determination prior to a meeting. Each member of the commission has one vote including the chair. If a motion does not receive four or more votes, it fails.
- Meetings, Hearings – This section includes noticing consistent with state law and city ordinance, adopting meeting dates and times in December rather than January, time control, order of presentation suggestions, which includes chair introduction, staff presentation, applicant proposal, opening the public hearing, public comment, closing the public hearing, commission discussion, motion, and vote. Staff can also prepare an agenda for the chair that includes the staff presenting the item, the developer's name, and any significant information

to help with conducting the meeting. Also following the public hearing, a suggestion is to have each commissioner give his or her thoughts and then have general discussion.

- Time Control – Through recent code amendments, only one public hearing rather than two will be held, which is with the planning commission. It will be important to implement guidelines to manage public comment when holding a public hearing. Staff suggests using a timer to give fairness in the hearing and equal time for those speaking in support or opposition. The agenda and public notice will include information requesting those who wish to speak to come prepared because their time may be limited. The commission should adhere to the order of business. Staff is looking at providing binders to the commissioners with a notebook, sample motion, and possible findings. The commissioners should contact staff prior to the meeting with questions or requests for additional information and should visit sites. If necessary an item can be remanded back to staff for clarification and additional information. The commissioners should stick to the agenda item; remember the meeting is being recorded.
- Motions and Voting - This includes proposing a motion with reference to the land use application with findings. A separate motion should be made for each land use application. The city code does not address everything so findings can be based on the health, safety, and general welfare of the community. Motions should not be based on public clamor but on facts, studies, and findings. Motions require a second before any amendment or discussion. If there is no second, the motion dies; and then another motion can be considered. Following the second, the commission discusses and clarifies. An amendment to the motion can be made with a second. A vote is then called where the motion passes or fails. Motions must be clearly stated. If additional information is needed, the item can be remanded back to staff.
- Public Websites and Interactive Maps – These sites include the Utah State Public Notice website, Utah County website with land records and maps, and the Payson City website. These will be reviewed at a future meeting.

Discussion:

Staff will clarify with the city attorney the conflict of interest section, correct the typos and numbering, and reword the “To Reconsider a Motion” section.

MOTION: Commissioner Beecher – To accept the bylaws of the planning commission of Payson City as outlined with the minor modifications discussed regarding typos and numbering, review by the city attorney, and having the city attorney weigh in on the conflict of interest section. Motion seconded by Commissioner Frisby. Those voting yes - Kirk Beecher, Adam Billings, John Cowan, Ryan Frisby, Harold Nichols, Taresa Hiatt, Blair Warner. The motion carried.

7. Commission and Staff Reports

The staff project updates have been helpful and will continue.

IHOP is coming to Payson. It will be located north of Arby’s on 1270 West. Staff has discussed utilities and designs. IHOP is doing very well in the western United States.

The Plunder project continues through the process for a building in the business park.

8. Adjournment

MOTION: Commissioner Beecher – To adjourn the meeting. Motion seconded by Commissioner Cowan. Those voting yes - Kirk Beecher, Adam Billings, John Cowan, Ryan Frisby, Harold Nichols, Taresa Hiatt, Blair Warner. The motion carried.

The meeting adjourned at 8:31 p.m.

/s/ Kim E. Holindrake
Kim E. Holindrake, Deputy City Recorder